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NEWS RELEASE

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AG Bruning: States Respond to Federal Request for Judicial Review in Health Care Challenge

LINCOLN – Attorney General Jon Bruning today announced Nebraska, as part of a 26-state coalition, filed a response to the federal government’s request to review the challenge of constitutionality of the Patient Protection and Affordable Care Act (PPACA). The States’ filing also requests the high court take the case up for consideration.

“We’re asking the Court to step in before Nebraska is forced to foot the multi-million dollar bill for expansion of an already-bloated federal government,” said Bruning. “It’s time to put a stop to this unconstitutional expansion of federal power.”

In the writ of certiorari filed by the U.S. Department of Justice on September 16, 2011, the federal agency requested constitutional review of the individual mandate that requires every American to purchase health insurance. The writ of certiorari filed the same day by the States argues the individual mandate cannot be severed from the Act and asks for it to be found unconstitutional in its entirety. It also calls for constitutional review of the federal government’s attempt to commandeer state Medicaid programs.

To limit future expenditures related to implementation of the Act, the States urge a quick review of the 11th Circuit’s decision. According to an independent study done by the actuarial firm, Milliman, Inc., the law may cost Nebraska taxpayers more than \$450 million.

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